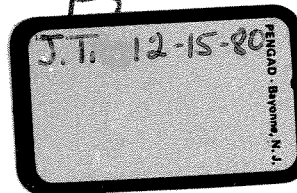


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PLAINTIFFS

FRED CASEY and
WILLIAM CASEY, d/b/a
CASEY CATTLE CO.



DEFENDANTS

GEORGE W. MURPHY, d/b/a
G. M. RANCHES and
G. M. CHAROLAIS, INC., a corp.

CAUSE

Action to recover purchase price of registered Charolais cow, condition of which was fraudulently misrepresented to plaintiff as purchaser.

ATTORNEYS

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☐ CHECK
HERE
CASE WAS
FILED

RECORDS

FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD

DATE MAILED

JS-2

9-1-75/41

JS-6

8-1-784-1-81

B

PROCEEDINGS

DATE	NR.	
8-5-75	1	Complaint, filed. Summons issued. g
8-25-75		U.S. Marshals Service returned and filed. Served John R. Wallace 8-18-75 at Miami, Okla. UNABLE to serve Geo. W. Murphy.(USM \$46.68)jj
9-5-75	2.	Entry of Appearance & Application for Extension of Time to Answer of the Defendant, filed. mm (O to J)
9-8-75	3	Order, filed, granting deft. 15 day ext. from 9-5-75 to ans. (JCS-clk)k cps mld
9-18-75	4.	Answer of deft. George W. Murphy d/b/a G. M. Charolais, Inc & G. M. Ranches, filed. mm
10-9-75	MO	Parties are directed to hold PT conf. on or before 11-19-75 & file PT Order on or before 11-26-75. (AEB-J)k cps by cert mail
11-3	5.	Plaintiffs' First Interrogs. to Defendants, filed. lm
12-8	6.	Deft's answers to interrogs., filed. ph
12-11	7.	Appl. of pltf. for ext. of time to complete and file PT Order, filed.rm
12-23	8.	Order granting Pltf. 120 days from & after 19th day of Nov., 1975 to complete & file pre-trial order, filed.(AEB-J)b cps mld
<u>1976</u>		
1-7	9	Pltf's 2nd Interrogs. to deft., filed. lm
3-26	10	Pltf's appl. for 120 days from 3-18-76 to file PT Order, filed.k o to j
3-29	11	Order filed that parties hereto are hereby granted an enlarg. of time of 120 days from & after the 18th day of March to July 16, 1976. (JCS-CC)t cps. mld.
3-31	12	Ans. to second interrogatories, filed.t
8-5	13.	Pltfs' application for enlargement of time to file P/T order, filed. b
8-6-76	14.	Order, filed, granting Pltf. an enlargement of time of 90 days from 7-16-76, (10-4-76) to complete & file pre-trail order.(AEB-J)b cps mld
<u>1977</u>		
1-18	MO	Case set for disposition on 2-1-77 at 10:30 a.m. for failure of parties to file pre-trial order.s (AEB-J) ntc. by cert. ml.
2- 1		Case called for disposition for failure of parties to file PTO. Pltf. rep. Pltf. presents applic. & proposed order for ext. of 45 days to file PTO. Application filed & Order signed & filed allowing parties 45 days from this date to file PTO.(AEB-J)b
2-1	15.	Application for enlargement of time to file PTO, filed. b
2-1	16	Order, filed, allowing parties 45 days from 2-1-77, to file PTO.(AEB-J)b cps mld
6-13	MO	Case set for disposition on 7-7-77 at 10:00 a.m. for failure of parties to file Pre-Trial Order. (AEB-J)k ntc by cert ml
7-7		Case called for disposition for failure of parties to file PTO. No parties present. Court dismisses case for failure of prosecution.(AEB-J)b
7-28	17	Pltf. appl. to reconsider and set aside order of dismissal; Pltf. appl. for ext. of time to file PTO; & Pltf. notice of taking depo. of George W. Murphy d/b/a G.M. Ranches & G.M. Charolais Inc. on 7-15-77 in Tulsa. fld. ho O to J.
8-1	18	Davis & Thompson appl. to w/draw as atty. of record for Defts. fld. ho O to J.
8-3	19.	Order, filed, granting deft. counsel to withdraw.(AEB-J)b cps mld
8-8	20	Order, filed, that Court Order of 7-7-77 is set aside & cause of action & complaint are reinstated. Parties are permitted to proceed w/ discovery and directed to file Pre-Trial Order w/in 60 days. (AEB-J) cps mld
ho		

CIVIL DOCKET CONTINUATION SHEET

B

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-352</u> PAGE <u>3</u> OF <u>2</u> XXXXX sheets
Fred Casey, et al		George W. Murphy, et al	
DATE 1978	NR.	PROCEEDINGS	
1-13	MO	Case set for disposition on 2-1-78 at 10:00 a.m. for failure of parties to file pre-trial order. (AEB-J)k cps by cert ml	
2-1	21	Pltfs appl. for further enlargement of time to file PTO, or in the alternative for Default Judgment. fld. ho	
2-1	22	Pltfs. not. of taking depo. of George W. Murphy on 10-14-77 in Tulsa, OK, fld. ho	
2-1		Case called for disposition for failure of parties to file PTO, before Mag. Rizley, upon order of the Court. Pltf. co. McElroy pres. Mag. recommends matter be referred to Magistrate for pretrial, which would be set on 2-21-78. Hrg. concluded. (RSR-Mag) b	
2-2	MO:	Pursuant ti Title 28, USCA, Sec. 636 & Misc. No. 128, IT IS ORDERED that this case be referred to Magistrate R.S. Rizley for pre-trial hearing. (AEB-J)b nts 2-3-78	
2-10	MO	Case set for pre-trial before the Mag. on 2-21-78 at 4:30 p.m. (RSR-Mag)k ntc by ho by cert ml	
2-21	MO	Pre-trial hrg. before the Mag. set on 2-21-78 at 4:30 p.m. is passed to 3-6-78. (RSR-Mag)k	
2-23	MO	Case set for pre-trial hrg. before the Mag. on 3-6-78 at 9:30 a.m. (RSR-Mag)k ntc by KT	
3-6	Min	Case called for pre-trial hrg. before the Mag. Pltf. represented. Deft. failed to appear. Mag. recommends that judgment be entered for the pltf. and against the defts. and each of them in the sum of \$19,750.00. Pltf. to submit authority in support of his claim for prejudgment interest together w/ F&R of the Mag. and Order w/in 10 days. (RSR-Mag)k	
5-12	MO:	It is Ordered that case is set for disposition for failure of pltf. to file F&R, before Mag. Rizley on 5-26-78, at 9:30 A.M. (RSR-Mag) b nts mld	
5-26		Case called for disposition for failure of pltf. to file F&R of Mag. Pltf. pres. & presents prepared F&R of Mag. (RSR-Mag) b	
6-20	23	Pltf's brief in support of appl. for default judgment, filed.k	
6-20	24	Findings & Recommendations of the Mag., filed. Mag. recommends that pltf's appl. for default judgment be sustained & judgment entered in favor of pltf. & against deft. for \$19,750.00, w/ interest at 10% per annum from 9-10-73, plus atty's fee of \$5,000.00, and costs. (RSR-Mag)k cps mld	
7-12	25	Judgment, filed & entered, that pltfs' appl. for default judgment filed 2-1-78 is sustained and pltfs. have judgment against defts. for \$19,750.00, w/ interest at 10% per annum from 9-10-73, plus atty's fee of \$5,000.00 and costs. (AEB-J)k cps mld	
7-25	26	Defts. mot. to set aside default judgment & for relief from judgment, fld. ho	
7-25	27	Defts. brief in supp. of mot. to set aside judgment & for relief from judgment. fld. ho	
7-26	MO	It is ordered that the Pltfs. file a responsive brief w/in 10 days to Defts. mot. to set aside default judgment & for relief from judgment. (AEB-J)ho c/m	
8-23	28	Order, filed & entered, that defts' mot. to set aside default judgment and for relief from judgment is denied. (AEB-J)k cps mld	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT B	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1978			
9-12	29	Defts. mot. for rehearing w/affid of George W. Murphy, fld. ho	
9-12	MO	Pltfs. are ordered to file a response w/in 10 days to defts' mot. for rehrg. (AEB-J)k cps mld	
9-22	30	Pltfs' response to defts' mot. for rehearing, filed.k	
11-29	MO	Case referred to Mag. Rizley pursuant to Order M-128. (AEB-J)k	
12-6	MO	Case set for hrg. before the Mag. on defts' mot. for rehearing on 12-18-78 at 1:15 p.m. (RSR-Mag)k ntc by KT	
12-18	31	Defts' supplemental brief in support of mot. to set aside judgment & for relief from judgment, filed.k	
12-18	Min	Case called for hrg. before the Mag. on defts' mot. for rehrg. Pltf. neither present nor rep. Deft. rep. Matter taken under advisement. (RSR-Mag)k	
3-2	MO:	It is recommended that Defts' motion to set aside Judgment & for relief from Judgment be sustained. Deft. is to prepare F/R of Mag. & a proposed Order w/in 10 days.(RSR-Mag) b ltr by kt	
3-13	32	Mag. F/R, fld. Mag. recommends Defts mot. to set aside Judgment & for relief from judgment be sustained. (RSR-Mag)ho c/m	
3-16	MO	Case transferred to Judge H. Dale Cook. (JCS-Clk)k	
3-26	33	Order, fld., that defts' motion to set aside Judgment & for relief from Judgment is hereby sustained.(HDC-J)b cps mld	
4-12	MO:	CASE SET FOR PT HRG. 4-24-79 at 9:00 a.m.; DISC. TO BE COMPLETE BY 4-18; PTO OR MEMO TO BE FILED BY 4-20. (HDC-J)hm	
4-19	34	Entry of Appearance and Mtn for Enlargement of Time filed by atty. for Pltfs and Mtn. for Enlargement of Time through and including Monday, May 21, 1979, within which pltf. may file its PT Order or Memorandum Herein, filed.jc	
4-19	35	Order, filed, granting additional time or through and including Monday, May 21, 1979, to Pltfs to prepare and file their PT Order or Memorandum herein. (HDC-J)jc copies mld by atty. & STRIKING PT HRG. FROM 4-24-79 TO BE RESET.	
5-10	36	SUPPLEMENTAL ANSWERS TO 1st & 2nd INTERROGS by defts.k	
5-21	37	APPL/EXT. by pltf. for 90 days to file PTO.k (O)	
5-22	38	ORDER granting pltf. until 8-22-79 to file PTO. (HDC-J)k cps/mvt	
7-10	MO:	PT HRG set 9-28-79, 10:30 A.M. Disc. to be completed by 9-18-79; PTO or memo to be fld by 9-21-79.(HDC-J)b nts mld	
7-18	39	DEFT'S INTERROGATORIES to pltf.ra	
9-7	--	DEPOSITION of Dr D F Walker,taken on behalf of pltfs.ra	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-352</u>
FRED CASEY, et al		GEORGE W. MURPHY, et al	PAGE <u>5</u> OF <u>3</u> PAGES
DATE 1979	NR.	PROCEEDINGS	
9-11	40	ANSWERS of pltfs. to defts' interrogs.k	
9-19		DEPOSITION of Dr. Ben F. Moss on behalf of pltf. 8-16-79. g	
9-21	41	APPLIC. for extension of time to complete discovery & file proposed pretrial order. b 0 to J	
9-21	42	PRE-TRIAL memorandum. b	
9-24	43	ORDER, that parties are granted extension to 12-21-79, to complete discovery & file preposed PTO. FURTHER ORDERED that pre-trial hrg. set 9-28-79 is stricken to be reset. (HDC-J)b cps mld	
9-27	MO:	CASE SET for PT hrg. 1-3-80 at 9:30 a.m.; disc. to be comp. by 12-21; PTO or memo due 12-27. (HDC-J)hm	
10-16	44	MOTION of defts. for summary judgment.k	
10-16	45	BRIEF in support of defts' mot/SJ.k	
10-16	MO	PLTFS are ordered to file a responsive brief by 10-29-79 to defts' mot/SJ. (HDC-J)k cps mld	
10-29	46	APPL. of pltfs. for 30 day ext. to respond to defts' mot/SJ.k (O)	
10-30	47	ORDER granting pltfs. until 11-27-79 to respond to defts' mot/SJ. (HDC-J)k cps/mvt	
11-1		DEPOSITION of Fred Casey on behalf of Deft., taken before Martha J. Butler/on 9/10/79. Fee of \$75.00 pd. by deft.jc CSR	
11-9	MO:	CASE TRANSFERRED TO JUDGE THOMAS R. BRETT.(JCS-CLK)jc	
11-21	48	APPLICATION for ext. to file resp. to deft's. Mot/SJ.cs (O)	
11-27	49	ORDER that pltfs have until 12-11-79 to file reply and brief in resp to mot/s.j. (TRB-J)ra c/m mvt	
12-4	---	DEPOSITION of George W. Murphy, on behalf of pltfs, taken on 9-10-79 before Martha J. Butler, CSR.ra (\$91.50 pd by pltfs)	
12-11	50	RESPONSE of pltfs to defts' mot/S.J.ra	
12-11	51	BRIEF in support of resp of pltfs to defts' mot/S.J.ra	
12/20	-	Notice sent in re time change on pretrial docket. CASE SET FOR PRETRIAL ON JAN. 3, 1980, AT 11:20 A.M. v	
12-21	52	APPLICATION of pltfs for enlargement of time to file PTO.ra (O)	

DC 111A
(Rev. 1/75)

JUDGE BRETT

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-352 Sheet 3, Page 6 XXXXXXXXXXXXXXX
Fred Casey, et al.		George W. Murphy, et al.	
DATE	NR.	PROCEEDINGS	
1980			
Jan. 3	53.	ORDERED that the pretrial conference of 1/3/80 is stricken and <u>CASE IS RESET FOR PRETRIAL CONFERENCE ON APRIL 10, 1980, at 10:20AM</u> Discovery is to be completed by 3/25/80. Pretrial memo and/or order is to be filed on or before 4/4/80. (TRB-J)v -c/m 1/4/80. -parties phoned 1/2	
2-4	54.	NOTICE to Take Deposition of Dr. Horn.jc	
2/13	MO:	Case is stricken from pretrial docket of 4/10/80 and <u>CASE IS RESET FOR PRETRIAL HEARING ON 4/7/80 at 10:20 A.M.</u> Disc. to be completed by 3/25/80. Parties are to file pretrial memos and/or a pretrial order on or before 3/31/80. (TRB-J)v c/m	
Mar.19	MO:	<u>CASE SET FOR HEARING ON DEFTS.' MOT. FOR SUMMARY JUDGMENT ON</u> <u>4/7/80 at 10:20 A.M.</u> (TRB-J)v -ltr mld.	
3/25	55.	APPLICATION of Pltfs for ext. of time to complete discovery and file Proposed Pretrial Order.jc 0 to J	
Mar.28	56.	ORDER continuing pre-trial setting of 4/7/80 and <i>and Aug 5/80</i> <u>RESETTING CASE FOR PRE-TRIAL ON JULY 2, 1980, at 9:20 A.M.</u> Disc. is to be completed by 6/18/80. Parties are to file pre- trial memos and/or agreed PTO on or before 6/23/80. (TRB-J)v c/m	
4-4	57.	APPLIC/withdraw of M. W. Kriegel. hm (0 to J)	
4/11	58.	ORDER permitting M.W. Kriegel to w/draw as atty for Pltf. (TRB-J)v c/m	
4-15	59.	CERTIFICATE of Mailing re: Appl. to Withdraw and Order Permitting Withdrawal previously filed.jc	
6-4	60	STIPULATION, s/by both parties.cs	
6-27	61	APPLICATION by both parties for ext. of time to complete disc., make and file PTO, and also for ext. of pre-trial conference.cs (0)	
7-1	62	ORDER granting both parties until 8-22-80 to complete disc., and file proposed Pre Trial Order by 8-29-80, and Pretrial Conf. is set for <u>9-4-80 at 2:30 P.M.</u> TRB-J c to mvt bs	
7/30	MO:	<u>PRE-TRIAL HRG. IS RESET FOR 9/2/80 at 2:30 P.M.</u> Parties to file an agreed-to PTO no later than 8/25/80. (TRB-J)v c/m	
8-25	63	APPLICATION of pltf. for ext. of time for discovery, PTO & PT conf.k (0)	
8-27	64	ORDER continuing pre trial conference for 10-1-80, at 2:10 p.m., disc. complete by 9-20-80, proposed PTO filed by 9-24-80. NO FURTHER EXT. WILL BE GRANTED. (TRB-J) cm bs	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
FRED CASEY, et al		GEORGE W. MURPHY, et al	
DATE	NR.	PROCEEDINGS	
1980 8-29	65	ORDER overruling deft's Motion for S/J. (TRB-J) cm bs	
9-30-80	66	PTO (TRB-J)cs cps/mld	
10/1	Hrg	PRE-TRIAL HELD. 2:35-3:00. Deft. to file suppl PTO re this hrg. 12/5/80 - Discovery cut-off date. 12/11/80 - Trial Briefs, Req. Instructions & Voir Dire due. 12/15/80 - JURY TRIAL at 9:30 A.M. (TRB-J)v -trial notices mld.	
10-7	67	ORDER, following pre-trial conf. held on 10-1, it is ordered that the parties follow the above schedule, and that trial is set for 12-15-80. (TRB-J)cs cp/mld.	
12-3	68	MOTION by deft., for continuance of Jury Trial. (O) bs	
12/10	69.	ORDERED that the 12/15/80 trial setting is stricken and this case is RESET FOR JURY TRIAL ON 3/16/81 at 9:30 A.M. 2/23/81 - discovery cut-off date. 3/11/81 - Due date Trial Briefs, Req. Instructions & Voir Dire. NO FURTHER EXTENSIONS WILL BE GRANTED. (TRB-J)v c/m	
1981 3-11	70	DEFENDANT's Trial Brief. nd	
3-11	71	DEFENDANT's Requested Voir Dire.nd	
3-11	72	DEFENDANT's Requested instructions.nd	
3-12	73	PLTFS' REQUESTED INSTRUCTIONS. pt	
3-12	74	TRIAL BRIEF OF PLTFS. pt	
3/12	75.	PLAINTIFFS' REQUESTED VOIR DIRE. v	
3-18	76	JUDGMENT ON JURY VERDICT ^{Entered} for defts and against pltfs. (TRB-J)nd cps/mld.	
3/18	Trial	JURY TRIAL HELD 3/16-18/81. FOR JUDGE. SEE 7409-76	
	Verd.	VERDICT: For Defts. & against Pltfs. Returned 3/18/81 at 11:25 a.m. EXHIBITS: All in red gusset file folder, including PX 1, 2, 3, 4, and 6. DX 1, 2, 3, 4, 7, and 8. INSTRUCTIONS: Cpy w/exhibits.	
	Depos.	DEPOSITION of John William Horn, fld. Open Court on 3/16/81. DEPOSITION of Jessie K. Oshiro, fld. Open Court on 3/17/81. (Thomas R. Brett, Judge) (Beebe Caslavka, Reporter) v	
3-30	77	BILL OF COSTS: Tax hrg set for 4-7-81 at 10:30 AM before Clerk.nd	
4-14	--	BILL OF COSTS continued until 4-21-81 at 10:30 a.m. before clerk. bs	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
FRED CASEY, et. al.		GEORGE W. MURPHY, et. al.	PAGE <u>4</u> OF <u>7</u> PAGES
DATE 1981	NR.	PROCEEDINGS	
4-21	--	BILL OF COSTS taxed before Clerk on 4-21-81 for the amt. of \$383.32 for Deft. pt	
8-7	---	DEPOS & EXHIBITS returned to respective parties.am	